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7 Attorneys for Plaintiffs
8 ARISTOCRAT TECHNOLOGIES AUSTRALIA
9 PTY LIMITED and ARISTOCRAT
TECHNOLOGIES, INC.

10 IN THE UNITED STATES DISTRICT COURT

11 FOR THE NORTHERN DISTRICT OF CALIFORNIA

12 SAN JOSE DIVISION

13 ARISTOCRAT TECHNOLOGIES
14 AUSTRALIA PTY LIMITED and
ARISTOCRAT TECHNOLOGIES, INC.,

15 Plaintiffs,

16 v.

17 INTERNATIONAL GAME
TECHNOLOGY and IGT,

18 Defendants.

Case No. C 06-3717 (RMW)(PVT)

ELECTRONIC CASE FILING

**STIPULATION AND [XXXXXXXXXXXX] ORDER
EXTENDING STAY**

Date: N/A

Time: N/A

Location: Courtroom 6, 4th floor

Before: Hon. Judge Ronald M. Whyte

19 This Stipulation and [Proposed] Order is entered into with reference to the following
20 facts:

21 1. This action was stayed by this Court's Order of December 23, 2009 at the parties'
22 request to facilitate settlement discussions. (Dkt. 765). Plaintiffs Aristocrat Technologies
23 Australia Pty Ltd. and Aristocrat Technologies, Inc. and Defendants International Game
24 Technology and IGT conferred and have agreed to request, and do hereby jointly request, that the
25 stay of the above-captioned action and all related discovery previously entered be extended until
26 March 31, 2010 to allow for further discussions between Plaintiffs and Defendants as to the
27 resolution of this case. The parties have engaged in productive settlement discussions since the
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1 case was stayed. The parties anticipate engaging in third party mediation and the further stay is
2 intended to allow that mediation to occur. The parties will in any event continue settlement
3 discussions through the proposed March 31, 2010 date in hopes of resolving this case. The
4 parties' intention to stay proceedings includes any obligations related to discovery orders issued
5 by Magistrate Judge Seeborg (and now pending before Magistrate Judge Trumbull) and the
6 proceedings in Australia presently pending in response to the Letter of Request issued by
7 Magistrate Judge Seeborg on June 12, 2009. The parties have agreed to instruct Australian
8 counsel as to the further stay of Australian proceedings.

9 2. To preserve the *status quo*, Plaintiffs and Defendants also jointly request that all
10 motions or other matters presently under submission to this Court or to Magistrate Judge Seeborg
11 (and now pending before Magistrate Judge Trumbull) be held in abeyance during that period and
12 that no order upon any matter presently under submission issue during that period.

13 3. In the event that the parties do not succeed in reaching a full and final settlement of all
14 disputes in this action prior to the expiration of the stay requested herein, Plaintiffs and
15 Defendants will confer and not later than April 12, 2010, will submit to the Court a proposed
16 Amended Scheduling Order. With respect to pending motions as to which the briefing is
17 incomplete and/or as to which a hearing has yet to occur, the parties will confer, agree upon a
18 schedule for the completion of briefing and confer and agree upon dates for hearings on such
19 pending motions upon the earliest dates convenient for the parties and the Court after expiration
20 of said stay.

21 4. Plaintiffs and Defendants have likewise agreed that the period of stay requested herein
22 shall not inure to the benefit of or to the detriment of either Plaintiffs or Defendants, and that
23 neither the request for nor existence of this stay, nor any communications between counsel, the
24 parties or the Court concerning the request for the stay will be discoverable or admissible in this
25 action.
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1 Dated: February 9, 2010

By: /s/ Anthony de Alcuaz

Anthony de Alcuaz
McDERMOTT WILL & EMERY LLP
Attorneys for Plaintiffs
ARISTOCRAT TECHNOLOGIES
AUSTRALIA PTY LIMITED and
ARISTOCRAT TECHNOLOGIES, INC.

6 Dated: February 9, 2010

By: /s/ Garth A. Winn

Garth A. Winn
Klarquist Sparkman LLP
Attorneys for Defendants
International Game Technology, Inc. and
IGT

12 **ORDER**

13 The Court having read and considered the above Stipulation of the parties, **IT IS**
14 **HEREBY ORDERED:**

15 1. The stay previously ordered shall remain in effect through March 31, 2010 to
16 allow for settlement communications between the parties.

17 2. In the event that this case is not fully and finally settled during said stay, the
18 parties shall confer and submit to the Court not later than April 12, 2010 a proposed case
19 schedule.

20 4. During the stay, all motions presently under submission to this Court or to
21 Magistrate Judge Seeborg (and now pending before Magistrate Judge Trumbull) shall remain
22 under submission. All obligations related to discovery orders issued by Magistrate Judge Seeborg
23 shall be stayed. All hearing dates upon pending motions are vacated. If final settlement does not
24 occur during the period of the stay, the parties shall confer, agree upon a briefing schedule for any
25 pending briefs and upon dates for hearing on all motions presently pending for hearing and shall
26 submit an appropriate stipulation and proposed order regarding such briefing and hearings.

27 **IT IS SO ORDERED.**

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DATED: 2/9/10


RONALD M. WHYTE, JUDGE
UNITED STATES DISTRICT COURT

MPK 161064-2.074272.0016

McDERMOTT WILL & EMERY LLP
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